IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.285 OF 2005

Ashok Kumar S.Agarwal ...Applicant

Versus

State of Maharashtra & Anr. ...Respondents

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Mr.R.K.Singh for Applicant.

Mr.A.S.Gadkari, A.P.P. for Respondent No.1.

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CORAM: A.M.KHANWILKAR, J.

MARCH 22, 2005.

P.C.

1. Heard Counsel for the Applicant and the learned A.P.P. for Respondent No.1.

2. Relief claimed in this Application is to discharge the Applicant in relation to the alleged offence. It is not in dispute that the Applicant has directly approached this Court for the relief of discharge.

3. The appropriate course, is to relegate the Applicant before the Trial Court, which is the competent Court to consider the Application for discharge in the first instance.

4. Accordingly, this Application is disposed of with liberty to the Applicant to make necessary Application before the Trial Court for discharge, if so advised.

5. If such an application is filed, that may be considered on its own merits in accordance with law.

A.M.KHANWILKAR, J.